



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441

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FULSHEAR CITY COUNCIL MINUTES

JANUARY 11, 2011

I. CALL TO ORDER

A special meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr at 6:05 p.m. Tuesday, January 11, 2011 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 and all citizens were welcomed.

II. QUORUM

A quorum was present.

MEMBERS PRESENT:

*Thomas C. Kuykendall, Jr. –Mayor
J. B. Collins, Jr- Mayor Pro-Tem
Larry Beustring
Stephen Gill
Laverne Patterson
Jeff Roberts*

STAFF PRESENT:

*D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
J. Grady Randle, City Attorney
Tim Kirwin, Asst. City Attorney*

MEMBERS ABSENT:

None

OTHERS PRESENT:

Viola Randle and 9 others who did not sign in

III. BUSINESS

A. DISCUSSION REGARDING THE CREATION OF MMD (MUNICIPAL MANAGEMENT DISTRICT) AND TIERZ (TAX INVESTMENT/RE-INVESTMENT ZONE) FOR TOWN SQUARE OR TOWN CENTER

Mayor Kuykendall introduced developer, Doug Konopka, and requested that he share his vision regarding the creation of a MMD (Municipal Management District).

Doug Konopka stated he has a vision for the downtown area that includes a town center and several other variety of shops which people can come together similar to Fulshear Friday Night but on a larger scale. He showed slides of various areas across the country which displayed the vision he wishes to create. He stated that he envisioned a new city hall on the town square with buildings for office space, restaurants, medical facilities, etc. He also stated that he wishes to retain the small town characteristics.

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Mr. Konopka introduced David Hawes who provided an overview of how MMD (Municipal Management District) and TIRZ (Tax Increment Reinvestment Zone) work hand in hand. Mr. Hawes explained what a TIRZ. TIRZ is a method used for redevelopment and community improvement projects which may be initiated by petition of owners whose total holdings in the zone consist of a majority of the appraised property value. Mr. Hawes explained the steps for creation and the legal issues surrounding the MMD and TIRZ. They came to the Council to ask support in creating the MMD (Municipal Management District). He stated that the MMDs are special districts that are self governed but are approved by the host municipality. Through their fundraising powers they can provide infrastructure and other services with the district according to a district approved service plan. He stated such MMDs exist in Sugarland, West chase, Houston downtown, and Pearland to name a few.

Alderman Roberts stated that he saw an article in the newspaper where it appears that Council has already given permission for the creation of MMD and to his knowledge this is the first discussion among Council members.

Mr. Hawes replied that permission is not needed from the Council to post notice that an MMD is being requested and because of the limited timing to meet with the legislature the notice had to be posted in order to meet the required deadlines. He apologized for not meeting with the Council sooner.

C.J. Snipes, City Administrator, stated that Mr. Konopka had approached him about this issue the last week of December and the earliest a meeting could be scheduled was today. There was a lot of discussion about posting of the notice in the newspaper and scheduling of the meeting today.

Mr. Konopka talked about being able to provide landscaping, lighting, walkways, and parking facilities through this project.

Doug Konopka and Mr. Hawes completed their presentation in about two (2) hours and thanked the Council for their time.

Mayor Kuykendall stated if there were any other questions please e-mail those to CJ and he can forward on to Mr. David Hawes.

No action was taken.

B. DISCUSSION AND UPDATE ON THE L.C.I.S.D. (LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT) PROJECT

This item was not discussed in the open session. It was moved to the Executive Session.

C. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO SIGN WEBSITE CONTRACT WITH "REVIZE".

A motion was made by Alderman Roberts to approve to authorize the Mayor to sign website contract with Revize. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

IV. **EXECUTIVE SESSION-CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE
SECTION 551.071, CONSULTATION WITH ATTORNEY; SPECIFICALLY SUB-SECTIONS:**

1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT:

(A) PENDING OR CONTEMPLATED LITIGATION; OR

(B) A SETTLEMENT OFFER; OR

**2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE
TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY
CONFLICTS WITH THIS CHAPTER.**

Mayor Kuykendall announced that Council would enter into Executive Session at 8:05 p.m. and quorum was present.

V. **RECONVENE AND TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF DEEMED APPROPRIATE**

Mayor Kuykendall announced that Council would reconvene back into Regular Session at 9:23 p.m. and quorum was present.

Mayor Kuykendall asked if there was any action to report. Alderman Collins stated there was no action to be taken. Mayor Kuykendall asked for a motion to adjourn.

VI. **ADJOURNMENT**

A motion was made by Alderman Collins to adjourn. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

Mayor – Thomas C. Kuykendall, Jr.

Attest:

City Secretary – D. (Diana) Gordon Offord